

REMARKS

Claims 1-7 are pending in this application. By this Amendment, claims 1, 2 and 6 are amended. The amendments introduce no new matter. A Request for Continued Examination is attached. Reconsideration of the application based on the above amendments and the following remarks is respectfully requested.

The Office Action, in paragraph 2, rejects claim 2 under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. Claim 2 is amended to obviate the rejection.

Accordingly, reconsideration and withdrawal of the rejection of claim 2 under 35 U.S.C. §112, first paragraph, is respectfully requested.

The Office Action, in paragraph 3, objects to claim 6 for an informality. Claim 6 is amended to obviate the objection. Withdrawal of the objection to claim 6 is respectfully requested.

The Office Action, in paragraph 5, rejects claims 1, and 5-7 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,148,301 to Sawatsubashi et al. (hereinafter "Sawatsubashi" previously cited) in view of U.S. Patent No. 5,285,301 to Shirahashi et al. (hereinafter "Shirahashi" previously cited) and further in view of U.S. Patent No. 3,862,360 to Dill et al. (hereinafter "Dill" newly cited). The Office Action, in paragraph 6, rejects claims 3 and 4 under 35 U.S.C. §103(a) as being unpatentable over Sawatsubashi in view of Shirahashi in view of Dill as applied to claim 1, and further in view of U.S. Patent No. 5,506,705 to Yamamoto et al (hereinafter "Yamamoto").

Because the Office Action does not otherwise substantively reject claim 2 over the prior art, Applicant assumes that the amendment of claim 2 to overcome the above-enumerated §112 rejection places claim 2 in condition for allowance. The rejections of claims 1 and 3-7 are respectfully traversed.

Sawatsubashi teaches a liquid crystal display device having a driving circuit inside the seal boundary (see Fig. 3). The Office Action, in paragraph 5, recognizes that Sawatsubashi does not disclose the recited light shielding film or the recited peripheral driving circuit including a sample hold circuit with TFTs. Rather, the Office Action relies on Shirahashi and Dill as separately and respectively allegedly teaching these features.

Embodiments of the Shirahashi device are directed to providing a liquid crystal display device wherein the likelihood of breakage of the outermost signal lines is greatly reduced (col. 1, lines 61-65). This is accomplished in embodiments of the Shirahashi device by disposing a dummy line outside the outermost signal line which may include a dummy pixel outside the outermost pixel, the dummy pixel then being masked by a light blocking film (BM) (col. 1, lines 66 - col. 2, line 11).

Dill is alleged to disclose, with general reference to Figs. 8-10, an LCD with a peripheral driving circuit that includes a sample hold circuit. The Office Action generally concludes that it would have been obvious to one of ordinary skill in the art to use a sample hold circuit in the device of Sawatsubashi based on a disclosure in Dill that a sample and hold circuit can be used to store one line of conventional video data. Applicant respectfully submits that the analysis of the Office Action fails for at least the following reasons.

Claims 1 recites, among other features, (1) a counter substrate comprising a common electrode facing the pixel electrodes of the active matrix, and a light shielding film having a substantially rectangular frame shape with only a single central opening that encompasses the pixel electrodes in plan view, and (2) a seal that forms a sealed region between the active matrix substrate and the counter substrate, the sample hold circuit of the peripheral driving circuit being disposed completely within the sealed region and in non-overlapping condition with the seal, the wiring lines being disposed at least partially within the seal.

Claim 6 recites, among other features, (1) forming a common electrode and a light shielding film on a surface of a counter substrate, the light shielding film having a substantially rectangular frame shape with only a single central opening that encompasses the pixel electrode in plan view, (2) arranging both the common electrode and the light shielding film of the counter substrate in a non-overlapping arrangement both the peripheral driving circuit and the wiring lines in plan view, and (3) bonding the active matrix substrate to the counter substrate with a predetermined gap between the active matrix substrate and the counter substrate using a sealing material to form a sealed region, the sample hold circuit of the peripheral driving circuit being disposed completely within the sealed region and in non-overlapping condition with the seal, the wiring lines being disposed at least partially within the seal, and the common electrode facing the pixel electrodes of the active matrix.

No permissible combination of Sawatsubashi and Shirahashi teaches, nor can reasonably be considered to have suggested, at least the features of the light shielding film having a substantially rectangular frame shape with only a single central opening that encompasses the pixel electrode in plan view, or the sample hold circuit of the peripheral driving circuit being disposed completely within the sealed region and in non-overlapping condition with the seal.

The description of what Dill is alleged to teach, or to have suggested, in the Office Action, is vague. As such, Applicant is unable to effectively respond to the Office Action without making broad assumptions regarding the teachings of Dill. There is no specific reference to where in the structure of the device disclosed in Dill the disclosed sample and hold circuit may be placed. The Office Action makes no attempt to indicate where the sample and hold circuit of Dill may be placed and why such placement would at least suggest features (1) a seal that forms a sealed region between the active matrix substrate and the counter substrate, the sample hold circuit of the peripheral driving circuit being disposed

- completely within the sealed region, and the wiring being disposed at least partially within the seal, and (2) wherein both the common electrode and the light shielding film are in non-overlapping arrangement with both the peripheral driving circuit and the wiring lines in plan view, as is positively recited in the claims. No configuration for the alleged sample and hold circuit of Dill is discussed in the Office Action and Figs. 8-10 do not show any configuration of the placement of the alleged sample and hold circuit with respect to any of a sealed region, a common electrode, a light shielding film, a peripheral driving circuit and/or wiring lines of the peripheral driving circuit.

The Office Action asserts that, in the combination of Sawatsubashi and Shirashi, elements that can generally be referred to as A and B are suggested, a conclusion that Applicant does not concede. The Office Action then separately asserts that, in the combination of Sawatsubashi and Dill, apparently elements that can generally be referred to as A and C are suggested, a conclusion again that Applicant does not concede, particularly in light of the above discussion regarding the conclusions of the Office Action being vague with their reference to the teachings of Dill. Regardless however of the above, there is not even an attempt made by the Office Action to assert how this specific combination of references can be harmonized to render obvious the specific combinations of all of the features recited in the claims. The analysis is almost akin to asserting that if you have a chassis and a tire, and a chassis and an engine, render obvious an automobile. The leap that the Office Action makes in finding the claimed subject matter obvious is not supportable on the record given this combination of references. In fact, this combination of references can only be arrived at through improper application of hindsight reasoning based on the roadmap provided by Applicant's disclosure and the claim amendments that Applicant has previously chosen to make.

MPEP §2143.01 instructs that "[t]he mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination." MPEP §2143.01 further instructs that "[a]lthough a prior art device 'may be capable of being modified to run the way the apparatus is claimed, there must be a suggestion or motivation in the reference to do so.'" *See also In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990). Applicant respectfully submits that the rejection of at least independent claims 1 and 3 is improper in view of at least MPEP §2143.01 because the Office Action lacks the required specific evidence of a teaching, suggestion or motivation in the prior art for one of ordinary skill to varyingly combine these references in the manner suggested. The conclusory statement regarding at least the motivation to combine Sawatsubashi and Dill, and the lack of even an attempt to harmonize all three references falls short of meeting the above standard.

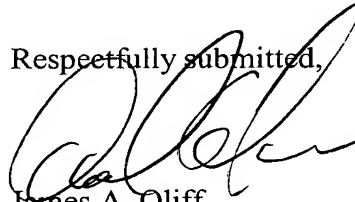
Neither Sawatsubashi, Shirahashi, nor Dill, nor any combination of these references, teaches, or can reasonably be considered to have suggested, this specific combination of features. Additionally, dependent claims 5 and 7 incorporate all of the features of independent claim 1, and as such, are neither anticipated, nor would they have been suggested, by the combination of applied references for at least the respective dependence of these claims on independent claim 1, as well as for the separately patentable features that each of these claims recites. Further, because Yamamoto does not overcome the shortfall in the application of Sawatsubashi, Shirahashi and Dill to at least independent claim 1, any permissible combination of the applied references cannot reasonably be considered to have suggested the combinations of all of the features recited in at claims 3 and 4, for at least their respective dependence on independent claim 1, as well as for the separately patentable subject matter that each of these claims recites.

Accordingly, reconsideration and withdrawal of the rejections of claims 1 and 3-7 under 35 U.S.C. §103(a) as being unpatentable over any combination of the applied references are respectfully requested.

In view of the foregoing, Applicant respectfully submits that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-7 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number set forth below.

Respectfully submitted,



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Attachement:
Request for Continued Examination

JAO:DAT

Date: March 8, 2006

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